

MEMORANDUM

Tabled January 29, 1970  
Resubmitted February 2, 1970

TO: Boston Redevelopment Authority  
FROM: John D. Warner, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petition No. Z-1742  
Max Wasserman  
141 Tremont Street, Boston

Petitioner seeks four variances to erect a 12 story office building in a General Business (B-10) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 15-1 Floor area ratio is excessive	12	13.2
Sect. 20-1 Rear yard is insufficient	12.8	0
Sect. 21-2 Setback of parapet is insufficient	29.21	0
Sect. 24-1 Off-street loading is insufficient	3 bays	0

The property, located on Tremont Street at the intersection of Temple Place, contains 5409 square feet of land presently utilized as a parking lot. The site is bounded by the R. H. Stearns Building across Temple Place and the S.S. Pierce building. The petitioner proposes to erect a 12 story fireproof air conditioned office building of steel frame construction with walls of limestone, masonry and glass. The building would contain a gross floor area of 71,200 square feet. The proposed building would be harmonious with surrounding commercial facilities and would further enhance the appearance of the Tremont Street area. Recommend approval.

VOTED: That in connection with Petition No. Z-1742, brought by Max Wasserman, 141 Tremont Street, Boston, for variances of excessive floor area ratio, insufficient rear yard, setback of parapet and off-street loading to erect a 12 story office building in a General Business (B-10) district, the Boston Redevelopment Authority recommends approval. The proposed fireproof structure would be harmonious with surrounding commercial structures and would further enhance the appearance of the Tremont Street area.



GRANARY  
BURIAL  
GROUND  
(CEM)

**Z-1742**

**141 TREMONT ST.**

(B. P.)



Re: Petition No. Z-1763  
Hyman Simon  
27 Wilmot Street, Roslindale

Petitioner seeks a Forbidden Use Permit and six variances to erect a one story retail store in a Residential (R-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A retail store with necessary signs is Forbidden in an R-.5 district		
Sect. 10-1	Parking not allowed in front yard nor within 5 feet of side lot line		
Sect. 14-1	Minimum lot area is insufficient	5000 sf	4180 sf
Sect. 14-3	Lot width is insufficient	50 ft.	45 ft.
Sect. 14-4	Street frontage is insufficient	50 ft.	45 ft.
Sect. 19-1	Side yard is insufficient	10 ft.	5 ft.
Sect. 20-1	Rear yard is insufficient	40 ft.	5 ft.

The property, located on Wilmot Street at the intersection of Americal Legion Highway, contains 4180 square feet of vacant land. The proposed retail store would be an unreasonable use of land and would be incompatible with the single family nature of Wilmot Street. A large shopping complex is located nearby and serves the immediate area. Recommend denial.

VOTED: That in connection with Petition No. Z-1763, brought by Hyman Simon, 27 Wilmot Street, Roslindale, for a Forbidden Use Permit and variances of parking not allowed in front yard nor within five feet of a side lot line, insufficient lot area, lot width, street frontage, side yard and rear yard to erect a one story retail store in a Residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The proposed retail store would be an unreasonable use of land and would be incompatible with the residential nature of Wilmot Street.







Re: Petition No. Z-1765  
Hubert Gallagher  
388-392 Washington Street, Brighton

Petitioner seeks ten variances to legalize occupancy for a store and six apartments in a General Business (B-1) district. The proposal would violate the code as follows:

		Req'd.	Proposed
Sect. 14-1	Lot area is insufficient	2 acres	30,729 sq
Sect. 15-1	Floor area ratio is excessive	1.0	1.9
Sect. 16-1	Height of building is excessive	2 stories	3 stories
Sect. 17-1	Open space is insufficient	1000 sf/du	30 sq/du
Sect. 18-1	Front yard not provided (Washington St.)	25 ft.	0
Sect. 18-3	Corner traffic visibility not provided		
Sect. 19-1	Side yard not provided	10 ft.	0
Sect. 18-4	Front yard not provided (Argus Place)	25 ft.	0
Sect. 20-1	Rear yard is insufficient	40 ft.	31 ft.
Sect. 23-1	Off-street parking is insufficient	8 spaces	4 spaces

The property, located on Washington Street at the intersection of Argus Place, contains a three story stucco structure. The residential-commercial occupancy has existed for several years. The violations are pre-code and existing. Recommend approval with the proviso that the required off-street parking is supplied.

VOTED: That in connection with Petition No. Z-1765, brought by Hubert Gallagher, 388-392 Washington Street, Brighton, for variances of insufficient lot area, open space, rear yard, off-street parking, excessive floor area ratio, building height, corner traffic visibility, front yard, side yard not provided to legalize the occupancy for a store and six apartments in a General Business (B-1) district, the Boston Redevelopment Authority recommends approval provided the required off-street parking is supplied. Off-street parking facilities would provide some relief from the congested conditions presently existing on Washington Street.







Re: Petition No. Z-1767  
William Gens & Son  
765-767 East Third Street, South Boston

Petitioner seeks a Forbidden Use Permit and a variance to erect a two story storage addition to a contractor's office in an Apartment (H-1) district. The proposal would violate the code as follows:

Sect. 8-7 A contractor's office is Forbidden in an H-1 district.

Sect. 10-1 Parking not allowed in front yard.

The property, located on East Third Street near the intersection of 'O' Street, contains a one story masonry structure. The neighborhood is basically residential three family. The proposed extension of the non-conforming contractor's office is undesirable and incompatible with the adjacent residential properties. Recommend denial.

VOTED: That in connection with Petition No. Z-1767, brought by William Gens & Son, 765-767 East Third Street, South Boston, for a Forbidden Use Permit and a variance of parking not allowed in front yard to erect a two story storage addition to a contractor's office in an Apartment (H-1) district, the Boston Redevelopment Authority recommends denial. The proposed extension of the non-conforming contractor's office is undesirable and incompatible with the adjacent residential properties.



